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Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 20,083, 6 ta' Novembru, 2018
Taqsima B

L.N. 359 of 2018

PRODUCT SAFETY ACT
(CAP. 427)

Safety of Toys (Amendment) Regulations, 2018

IN EXERCISE of the powers conferred by articles 38 and 39 of the Product Safety Act, the Minister for Ministry for Justice, Culture and Local Government, on the advice of the Malta Competition and Consumer Affairs Authority, has made the following regulations:-

Citation.

1. The title of these regulations is the Safety of Toys (Amendment) Regulations, 2018, and these regulations shall be read and construed as one with the Safety of Toys Regulations, hereinafter referred to as "the principal regulations".

S.L. 427.40

Amends regulation 1 of the principal regulations.

2. Sub-regulation (2) of regulation 1 of the principal regulations shall be substituted by the following:

"(2) These regulations lay down rules on the safety of toys and on their free movement in the Community and transpose the following:

(a) Directives 88/378/EEC, 2008/112/EC, 2009/48/EC, 2012/7/EU and 2009/48/EC;

(b) Commission Directive (EU) 2015/2115 of 23November 2015 amending, for the purpose of adopting specific limit values for chemicals used in toys, Appendix C to Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards formamide;

(c) Commission Directive (EU) 2015/2116 of 23November 2015 amending, for the purpose of adopting specific limit values for chemicals used in toys, Appendix C to Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards benzisothiazolinone;

(d) Commission Directive (EU) 2015/2117 of 23November 2015 amending, for the purpose of adopting specific limit values for chemicals used in toys, Appendix C to Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards chloromethylisothiazolinone and methylisothiazolinone, both

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individually and in a ratio of 3:1;

(e) Council Directive (EU) 2017/738 of 27 March 2017 amending, for the purpose of adapting to technical progress, Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regard lead;

(f) Commission Directive (EU) 2017/774 of 3 May 2017 amending, for the purpose of adopting specific limit values for chemicals used in toys, Appendix C to Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards phenol; and

(g) Commission Directive (EU) 2017/898 of 24 May 2017 amending, for the purpose of adopting specific limit values for chemicals used in toys, Appendix C to Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards bisphenol A.

(3) These regulations shall apply to toys falling under the scope of the principal regulations.

(4) These regulations shall come into force as follows:

(a) regulation 1(2)(e) shall apply from 28 October 2018;

(b) regulation 1(2)(f) shall apply from 4 November 2018;

(c) regulation 1(2)(g) shall apply from 26 November 2018.".

Amends Schedule I to the principal regulations.

3. In the table under point 15 of Part IV of Schedule I to the principal regulations, the entry for 'lead' shall be substituted by the following:

"

Element:	**mg/kg in dry, brittle, powder-like or pliable toy material:**	**mg/kg in liquid or sticky toy material:**	**mg/kg in scraped-off toy material:**
"Lead	2,0	0,5	23

".

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4. Schedule III to the principal regulations shall be amended as follows:

Amends Schedule III to the principal regulations.

(a) the entry for 'Bisphenol A' shall be substituted by the following:

"

Substance	**CAS No**	**Limit value**
Bisphenol A	80-05-7	0,04 mg/l (migration limit) in accordance with the methods laid down in EN 71-10:2005 and EN 71-11:2005

"; and

(b) immediately after the entry 'Formamide' there shall be added the following:

"

Substance	**CAS No**	**Limit value**
"Phenol	108-95-2	5 mg/l (migration limit) in polymeric materials in accordance with the methods laid down in EN 71-10:2005 and EN 71-11:2005" 10mg/kg (content limit) as a preservative in accordance with the methods laid down in EN 71-10:2005 and EN 71-11:2005"

".

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